



# FACSIMILE COVER SHEET

DATE: Dec 16, 1997

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 7

TO: Bill Bown  
Utah Building Stone  
842 W 400 N  
West Bountiful Ut 84087

FAX NUMBER: 295-0601

**FROM:** Wayne Hessberg  
Minerals Reclamation and Development Program

**PHONE:** (801) 538-5291

**FAX:** (801) 359-3940

SUBJECT: Initial Review of not - Grouse Creek  
m/003/031

REMARKS: original hard copy will be sent  
via regular mail.

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<u>TRANSACTION REPORT</u>						DEC-16-97 TUE 05:20 PM	
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**FILED**

OCT 15 1997

SECRETARY, BOARD OF  
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF THE  
PETITION FILED BY THE  
DIVISION OF OIL, GAS AND MINING  
FOR AN ORDER REQUIRING  
IMMEDIATE RECLAMATION OF THE  
GROUSE CREEK QUARRY FROM  
UTAH BUILDING STONE SUPPLY,  
BOX ELDER COUNTY, UTAH.

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JOINT MOTION AND  
STIPULATION TO AMEND  
THE FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER  
  
DOCKET NO. 97-016  
CAUSE NO. M/003/031

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In the above-captioned matter, the Board of Oil, Gas and Mining (the "Board") entered that certain "FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER TO RECLAIM OR TO POST AN INTERIM SURETY" ("Board Order") dated September 26, 1997. On October 14, 1997, the Division of Oil, Gas and Mining ("the Division") received a request for an extension of the time period for compliance by William and Preston Bown ("the Bowns") with the Board Order. The Division finds the reason for this request, the death of an immediate family member, compelling and supports the Bowns' request. Thus in light of this tragic development to befall the Bowns, the Division and William Bown file this joint stipulation and motion requesting the following changes to the Board Order. William Bown has signed the stipulation in both his individual capacity and as a partner with Preston Bown in Utah Building Stone Supply.

### STIPULATION

The Division and William Bown HEREBY STIPULATE AND AGREE to amend the "FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER TO RECLAIM OR TO POST AN INTERIM SURETY," dated September 26, 1997 as follows:

1. The time period for compliance is amended as follows: By no later than 4 p.m. in Salt Lake City on Wednesday, October 29, 1997, William Bown and Preston Bown shall, to the satisfaction of the Division, post an interim reclamation surety bond (e.g., cash deposit, certificate of deposit, corporate surety bond) in the exact amount of \$12,500.
2. William and Preston Bown dba Utah Building Stone Supply agree not to appeal that certain September 26, 1997 decision of the Board.
3. The parties agree that the September 26, 1997 Board Order is not altered in any way not explicitly expressed in the Stipulation.

AGREED to this 15th day of October, 1997.

DIVISION OF OIL, GAS, AND MINING

UTAH BUILDING STONE SUPPLY

by Daniel G. Moquin  
Daniel G. Moquin  
Assistant Attorney General  
for Division of Oil, Gas and Mining

by William L Bown  
William Bown as partner  
with Preston Bown and  
in his individual capacity

OCT-15-97 WED 12:57 PM

DIV OIL GAS MINING

FAX NO. 3583840

P. 04/05

**MOTION**

The Division and William Bown, in his individual capacity and as partner with Preston Bown in Utah Building Stone Supply, request that the Board issue an Order consistent with the Stipulation.

**ORDER**

Having read the JOINT MOTION AND STIPULATION TO AMEND THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER submitted by the Division and William Bown in the above-referenced matter, for good cause, the Utah Board of Oil, Gas and Mining hereby grants the Motion based on the foregoing Stipulation and adopts the Stipulation as a Board Order.

SO ORDERED this 15 day of October, 1997.

STATE OF UTAH  
BOARD OF OIL, GAS & MINING



Thomas B. Faddies, Acting Chairman

### CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing JOINT MOTION AND STIPULATION TO AMEND THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER for Docket No. 97-016, Cause No. M/003/031 to be mailed by first-class mail, postage prepaid, this 15th day of October, 1997, to the following:

William Bown  
Utah Building Stone Supply  
842 West 400 North  
West Bountiful, Utah 84087

Preston Bown  
Utah Building Stone Supply  
842 West 400 North  
West Bountiful, Utah 84087

Mike Ford  
Bureau of Land Management  
Salt Lake District Office  
2370 South 2300 West  
Salt Lake City, Utah 84119

John Blake  
School and Institutional  
Trust Lands Administration  
675 East 500 South, Suite 500  
Salt Lake City, Utah 84102

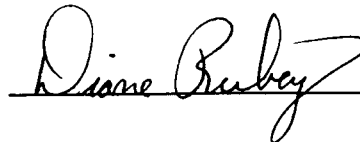
Sent by Hand Delivery to:

Patrick J. O'Hara  
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P.O. Box 140855  
Salt Lake City, UT 84114-0855

Daniel G. Moquin  
Assistant Attorney General  
1594 West North Temple, Suite 300  
P.O. Box 140855  
Salt Lake City, UT 84114-0855

Courtesy Copy to:

Lynn Kunzler, Senior Reclamation Specialist  
Division of Oil, Gas & Mining



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